



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20350-1000

SECNAVINST 4000.36
ASSTSECNAV(RD&A)APIA-PI
28 June 1993

SECNAV INSTRUCTION 4000.36

From: Secretary of the Navy

Subj: TECHNICAL REPRESENTATION AT CONTRACTORS' FACILITIES

Ref: (a) DOD Directive 5000.1, Defense Acquisition,
of 23 Feb 91 (NOTAL)
(b) DOD Instruction 5000.2, Defense Acquisition Management
Policies and Procedures, of 23 Feb 91 (NOTAL)
(c) Federal Acquisition Regulations/Defense Federal
Acquisition Regulations Supplement (FAR/DFARS)

Encl: (1) Contract Section G - Contract Administration
Data

1. Purpose

a. To provide implementing procedures for compliance to references (a) and (b) and Subpart 242.74, Technical Representation at Contractors' Facilities, of reference (c).

b. To assign basic responsibilities and procedures for establishment of Program Manager's Technical Representatives, and designate a central management focal point within the Department of Navy (DON).

2. Applicability and Scope. This instruction applies to all Acquisition Managers of the DON, particularly to those who have technical functions at contractor's facilities. This instruction is not applicable to facilities and activities under Executive Order 12344 and Public Law 98-525 (42 U. S. C. 7158 note) (e.g., Naval Nuclear Propulsion Program), or the Supervisors of Shipbuilding, Conversion and Repair.

3. Policy. It is Secretary of the Navy policy that Program Manager's Technical Representatives be established only when determined necessary by the Program Manager, and that they perform only programmatic and technical functions. Contract administration functions, listed in Subpart 42.302 of reference (c), shall not be performed by a Technical Representative.



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4. Definitions

a. Program Manager (PM). The designated official responsible for management, direction and control of a specific Navy/Marine Corps system or program. The PM may be an element of a Program Executive Office (PEO), a Direct Reporting Program Manager (DRPM), or a designated PM within a Systems Command.

b. Program Manager's Technical Representative (PMTR). The Government Technical Representative of a PM, not a Department of Defense (DoD) Contract Administration Office (CAO) or Contract Audit Component (CAC), performing complex programmatic and technical functions on-site or near a contractor's facility.

c. Contract Administration Office (CAO). The field activity performing contract administration functions on contracts with private industry in a designated geographic area or at a specified contractor's facility. CAOs are identified in the DoD Directory of Contract Administration Services Components (DLAH 4105.4), and perform functions prescribed in Subpart 42.302(a) of reference (c).

d. Procuring Contracting Officer (PCO). The official issuing contracts to private industry for the design, development, production and logistics support of Navy programs/systems, as requested by the Navy/Marine Corps PM.

e. Letter of Intent (LOI). Advises the CAO of the PM's intent to establish a PMTR. The LOI identifies location, assignment dates, duties and required support. Issued by the PM to the CAO.

f. Letter of Assignment (LOA). Establishes the functions, responsibilities and authorities of the PMTR to perform complex programmatic and technical functions on-site or near contractor facilities on behalf of the PM. Issued by the PM to the PMTR.

g. Assignment of Contract Administration Services (CAS). Assignment of CAS is done by the PCO to the CAO. Normal CAS functions listed in Subpart 42.302(a) of reference (c) are automatically performed by the CAO as applicable to the contract. A PM, through the PCO, may retain individual FAR 42.302(a) functions as permitted by reference (c), or assign additional functions to the CAO, which are listed in Subpart 42.302(b) of reference (c). The Section G contract clause, enclosure (1), is recommended for inclusion in the contract whenever the PM intends to establish a PMTR. This clause provides a two-fold purpose: it provides the normal identification of the CAO responsible for administration of the contract; and, it provides specific identification of the PMTR responsible for performance of the PM's programmatic and technical functions on the contract.

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h. Technical Letter of Delegation (TLOD). Issued by the PCO or PM, or PMTR if delegated by the PM, to the CAO, the TLOD defines those specific technical functions required of the CAO administering the contract. These technical functions include such factors as the type and extent of Government inspections required, as addressed in Subpart 246.103 of reference (c).

i. Memorandum of Agreement (MOA). Executed between the PM (or PMTR if delegated by the PM) and the CAO, the MOA provides a description of the functional interface and interrelationships between the PMTR and the CAO at the contractor's facility, and provides for any special CAO requirements desired by the PM. In particular, it provides local level clarifications and amplifications of the functional duties assigned to the PMTR in his/her Letter of Assignment and to the CAO in his/her Letter of Delegation.

5. Responsibilities

a. Office of the Assistant Secretary of the Navy (Research, Development and Acquisition (OASN(RDA)) Product Integrity Directorate. Serves as the Navy/Marine Corps central point of contact for policy, procedures, and management support of the PMTR Program. As such, it will provide program guidelines, training, and engineering support to PMs and PMTRs. OASN(RDA) will maintain a current data base of all PMTR assignments and all assignment documentation.

b. Program Manager

(1) Determine the need for establishing a PMTR on a case by case basis.

(2) Where appropriate, formalize PMTR establishment in accordance with Subpart 242.74 of reference (c).

(3) For established PMTRs, maintain the following:

(a) Letter of Intent to CAO

(b) Letter of Assignment to PMTRs

(c) Technical Letter of Delegation to CAOs

(d) Memorandum of Agreement between PM/PMTR and CAO

(4) Utilize contract administrative data identified in enclosure (1), tailored as appropriate, in contracts requiring the assignment of a PMTR.

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(5) Annually review the need to continue established PMTRs.

(6) Keep cognizant SYSCOM/PEO/DRPM and OASN(RDA) apprised of all changes to PMTR status and assignments

(7) Assist the local CAS component, when requested, with an annual accounting of assigned personnel (DD 1146) and provide a copy to OASN(RDA).

c. Program Manager's Technical Representative. Comply with the Letter of Assignment in performing assigned duties.

6. Action. DRPMs, PEOs and PMs shall review existing PMTR assignments and related matters for conformance with this instruction within 60 days of issuance and annually thereafter.



Edward C. Whitman
Deputy Assistant Secretary
of the Navy (C4I/EW/Space)

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CONTRACT INFORMATIONSECTION G. CONTRACT ADMINISTRATION DATA:COGNIZANT CONTRACT ADMINISTRATION OFFICE (CAO)

Except as specified elsewhere in this contract, the [cognizant Contract Administration Office (CAO), listed in DoD Directory of CAOs, DLAH 4105.4] is designated as the Contract Administration Office (CAO) having cognizance over this contract. Except as modified by separate delegations from the PCO or PM contract administration functions will be performed in accordance with FAR 42.302 and DFARS 242.302.

COGNIZANT CONTRACT PROGRAMMATIC AND TECHNICAL AUTHORITY:

The [designated Program Manager's Technical Representative (PMTR)] has been designated as the on-site representative of the Program Manager on this Navy/Marine Corps Program, with delegated authorities on programmatic and technical requirements. Guidance regarding programmatic and technical requirements shall be provided to the CAO by [the PMTR] in accordance with DFARS 242.74 and 246.103(c) as necessary.

Enclosure (1)